

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division

In re: )  
)  
CIRCUIT CITY STORES, INC., et al., ) Case No. 08-35653-KRH  
) Chapter 11  
Debtors. ) (Jointly Administered)

**NOTICE OF MOTION AND HEARING**

**PLEASE TAKE NOTICE** that 502-12 86<sup>th</sup> Street LLC ("Movant"), by counsel, has filed a Joinder of 502-12 86<sup>th</sup> Street LLC to Landlords Motion for Rehearing and/or Reconsideration and/or to Alter or Amend the Judgment Regarding Payment of November Rent and Memorandum in Support Thereof (the "Motion"). A copy of the Motion is available from the undersigned.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to grant the relief sought in the Motion, or if you want the Court to consider your views on the Motion, then by January 14, 2009, you or your attorney must:

1. File with the Court, at the address shown below, a written response pursuant to Local Bankruptcy Rule 9013-1(H). If you mail your written response to the Court for filing, you must mail it early enough so the Court will **receive** it on or before **January 14, 2009**.

William C. Redden, Clerk  
United States Bankruptcy Court  
701 East Broad Street, Suite 4000  
Richmond, VA 23219-1888

You must also deliver a copy to all parties on the Certificate of Service below and to:

Michael P. Falzone (VSB #22324)  
Sheila deLa Cruz (VSB #65395)  
Hirschler Fleischer, P.C.  
P.O. Box 500  
Richmond, Virginia 23218-0500

Michael P. Falzone (VSB No. 22324)  
Sheila deLa Cruz (VSB No. 65395)  
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Post Office Box 500  
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(804) 771-9560  
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Steven H. Newman  
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605 Third Avenue, 16<sup>th</sup> Floor  
New York, NY 10158  
(212) 953-6000  
(212) 953-6899 (fax)

*Co-counsel for 502-12 86<sup>th</sup> Street LLC*

*Co-counsel for 502-12 86<sup>th</sup> Street LLC*

and

Steven H. Newman  
Katsky Korins LLP  
605 Third Avenue, 16<sup>th</sup> Floor  
New York, NY 10158  
(212) 953-6000  
(212) 953-6899 (fax)

2. Attend the hearing scheduled for **January 16, 2009 at 10:00 a.m.** before The Honorable Kevin R. Huennekens, in Courtroom 5000, United States Bankruptcy Court, 701 E. Broad Street, Richmond, Virginia 23219.

If you or your attorneys do not take these steps, the Court may deem any opposition waived, treat the Motion as conceded, and issue an order granting the requested relief without further notice or hearing.

Dated: January 5, 2009

502-12 86<sup>th</sup> STREET LLC

By: /s/ Sheila deLa Cruz  
Counsel

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Hirschler Fleischer PC  
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*Counsel for 502-12 86<sup>th</sup> Street LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 5th day of January, 2009, I caused a copy of the foregoing to be served by electronic means on the "2002" and "Core" lists and through the ECF system.

/s/ Sheila deLa Cruz

Sheila deLa Cruz

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